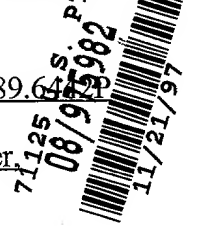


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 989.6

PATENT



In re application of: Martine Cerutti, Hassan Chaabihi, Gerard Devauchelle, Laurent Gauthier, Michel Kaczorek, Marie-Paule LeFranc, and Marie-Alix Poul

Serial No.: 08/807,864
Filed: 02/26/97

Group Art Unit: 1804
Examiner: Not yet assigned

For: Recombinant Baculovirus and Use Thereof in the Production of Monoclonal Antibodies

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

1. This is a petition for an extension of the time for a total of 4 month(s) to file a response to the notice to file missing parts of application dated 05/23/97.

2. Applicant is:

☒ a small entity, the verified statement for which status:

☐ is attached.

☒ has already been filed.

3. Calculation of extension fee (37 CFR 1.17(a)-(d)):

<u>Total months requested</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input checked="" type="checkbox"/> four months	\$1,510.00	\$ 755.00
<input type="checkbox"/> five months	\$2,060.00	\$1,030.00

Fee \$755.00

*

*

*

*

*

Certification Under 37 CFR 1.10

"Express Mail" Mailing Label No. TB573882188US

Date of Deposit Nov. 21, 1997

LAW OFFICES

Weiser & Associates, P.C.
SUITE 500

230 SO. FIFTEENTH ST.
PHILADELPHIA, PA 19102

(215) 875-8383
FACSIMILE (215) 875-8394

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

GERRY MARRERO
(Name of person mailing)

Gerry Marrero
(Signature of person mailing)

If an additional extension of time is required, please consider this a petition therefor.

- [] An extension for ___ month(s) has already been secured and the fee paid therefor of \$___ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$___

4. Extended period for response

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on 11/23/97.

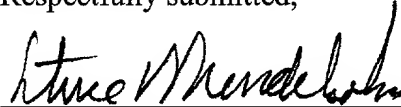
5. Fee payment

- [X] Attached is a check in the sum of \$755.00.

- [X] Charge Account No. 23-0813 in the name of Weiser & Associates, P.C. for any additional extension and/or fee required or credit any excess fee paid.

- [] Charge fee to Account No. 23-0813 in the name of Weiser & Associates, P.C. and this is a request to charge for any additional extension and/or fee required or credit for any excess fee paid. A triplicate copy of this petition is attached.

Respectfully submitted,



Steve Mendelsohn
Registration No. 35,951
Weiser & Associates, P.C.
Attorney for Applicant
(215) 875-8305 ext. 29

Dated: 11/21/97

00075583 4444 23064680

11/21/97
JCS3Z U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 989.6442 FWC

PTO
PAT.
125 U.S. PTO
08/975985
11/21/97

Anticipated Classification of This Application: Class: _____ Subclass: _____

Prior Application:

In re application of: Martine Cerutti, Hassan Chaabihi, Gerard Devauchelle, Laurent Gauthier, Michel Kaczorek, Marie-Paule LeFranc, and Marie-Alix Poul

Serial No.: 08/807,864 Group Art Unit: 1804
Filed: 02/26/97 Examiner: Not yet assigned
Phone No.: _____

For: Recombinant Baculovirus and Use Thereof in the Production of Monoclonal Antibodies

FILE WRAPPER CONTINUING (FWC) APPLICATION TRANSMITTAL

Box FWC
Assistant Commissioner for Patents
Washington, D.C. 20231

This is a request for a filing under the file wrapper continuing application procedure, 37 CFR 1.62, for a

- ☒ continuation
☐ divisional
☐ continuation-in-part (for oath or declaration see II below) attached is an amendment for added subject matter
☐ continuing application to permit consideration of an information disclosure statement under 37 CFR 1.97

*

*

*

*

*

Certification Under 37 CFR 1.10

"Express Mail" Mailing Label No. TB573882188US

Date of Deposit Nov. 21, 1997

I hereby certify that this paper or fee is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

GERRY MARRERO
(Name of person mailing)

Gerry Marrero
(Signature of person mailing)

Name of applicant(s) (as originally filed and as last amended) and current correspondence address of applicant(s)

Name: Martine CERUTTI
Address: 2997, route de Montèze
F-30380 Saint-Christolès-Alès, France

Name: Hassan CHAABIHI
Address: 30B, avenue Jules-Guesde
F-30100 Alès, France

Name: Gérard DEVAUCHELLE
Address: 137, chemin de l'Espervette
F-30380 Saint-Christol-lès-Alès, France

Name: Laurent, GAUTHIER
Address: 186, grande-rue
F-30100 Alès, France

Name: Michel KACZOREK
Address: 81, boulevard de la Lironde
F-34980 Montferrier, France

Name: Marie-Paule LEFRANC
Address: 4, rue du Vallon
F-34830 Clapiers, France

Name: Marie-Alix POUL
Address: 10, rue de Docteur-Roux
F-34000 Montpellier, France

The above-identified application, in which no payment of issue fee, abandonment of (other than where the above identified application was abandoned under 37 CFR 1.313(b)(5) to permit consideration of an information disclosure statement under 37 CFR 1.97), or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

I. Inventorship Statement

(complete applicable item (a), (b), and/or (c) below)

- (a) ☒ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are the same.

II. Declaration or oath

A. Continuation or divisional

☒ To be submitted later.

III. Identification of Claims for Further Prosecution

☒ The fees to be charged are to be based on the number of claims remaining as a result of the claims as on file in the prior application.

IV. Fee Calculation (37 CFR 1.16)

	No. Filed	Basic	No. Extra	Small Entity	Other Than Small Entity	Small Entity Basic Fee \$ 395	Other Than Small Entity \$ 790
Total Claims:	15 -	20 =	0 x	\$ 11	\$ 22 =	\$	\$ 0
Independent Claims:	1 -	3 =	0 x	\$ 41	\$ 82 =	\$	\$ 0
Multiple dependent claims if any:				\$135	\$270 =	\$	\$ 0
Filing Fee Calculation:						\$ 395	\$ 0

V. Small Entity Statement

☒ The small entity statement was filed in the parent application Serial No. 08/807,864 which parent application was filed on 02/26/97 and this status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

Reduced filing fee calculation \$395.00

VI. Fee Payment Being Made at This Time

Not attached

☒ No filing fee is submitted. *(This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)*

VII. Priority -- 35 U.S.C. 119

☒ Priority of application Serial No. 94/01015 filed on 31 January 1994 in France and International Application PCT/FR95/00110 filed on January 31, 1995 and which designated the U.S is claimed under 35 U.S.C. 119.

☒ certified copy will follow

VIII. Relate Back -- 35 U.S.C. 120

"This is a continuation of copending application Serial Number 08/807,864 filed on 02/26/97 (now abandoned)."

IX. Power of Attorney

The power of attorney in the prior application is to

Gerard J. Weiser	Reg. No. 19,763
Howard M. Eisenberg	Reg. No. 36,789

- a. ☒ The power appears in the original papers in the prior application.
- b. ☒ Address all future communications to:

Gerard C. Weiser
230 S. 15th Street, Suite 500
Philadelphia, PA 1910
(215) 875-8383

X. Maintenance of Copendency of Prior Application

(This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run)

☒ A petition and fee has been filed to extend the term in the pending prior application until November 23, 1997.

XI. Abandonment of Prior Application

- [X] Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

Respectfully submitted,



Steve Mendelsohn
Registration No. 35,951
Weiser & Associates, P.C.
Attorney for Applicant
(215) 875-8305 ext. 29

Dated: 11/21/97

08975982 11.21.97

LAW OFFICES

Weiser & Associates, P.C.

SUITE 500

230 SO. FIFTEENTH ST.
PHILADELPHIA, PA 19102

(215) 875-8383

FACSIMILE (215) 875-8394